

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHAEL SWANSON,

Civ. No. 6:23-cv-00754-MK
ORDER

Plaintiff,

v.

KEVIN DANIELSON,

Defendant.

MCSHANE, Judge:

Magistrate Judge Mustafa Kasubhai filed a Findings and Recommendation (#5), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although Plaintiff did not file objections, the Court reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). The Court finds no error and conclude the report is correct. Magistrate Judge Kasubhai's Findings and Recommendation (#5) is adopted. The Complaint (#1) is DISMISSED. Plaintiff's state law tort claim is dismissed with prejudice. Plaintiff is granted 30 days to file an amended complaint meeting the exceptions enumerated in 28 U.S.C. § 2679(b)(2).

IT IS SO ORDERED.

DATED this 11th day of July, 2024.

/s/ Michael J. McShane
Michael McShane
United States District Judge